

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Th 21b

Appeal Filed: 9/21/06
49th Day: 11/9/06
Staff: Deanna Christensen
Staff Report: 9/28/06
Hearing Date: 10/12/06

**STAFF REPORT: APPEAL**
SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Malibu

LOCAL DECISION: Approval with Conditions

APPEAL NO.: A-4-MAL-06-125

APPLICANT: Kamyar Lashgari

APPELLANTS: Will O'Leary

PROJECT LOCATION: 27927 Pacific Coast Highway, Malibu, Los Angeles County

PROJECT DESCRIPTION: Construction of a new, one-story 4,981 sq. ft. single-family residence, grading, pool and spa, drainage improvements, Fire Department turnaround, and on-site wastewater treatment system.

STAFF RECOMMENDATION:

Staff recommends that the Commission open and continue the public hearing to determine whether a substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to §30621 of the Coastal Act, a hearing on an appeal shall be set no later than 49 days after the date on which the appeal is filed with the Commission. An appeal of the subject decision was filed with the Commission on September 21, 2006. The only available Commission hearing within 49 days is the October 2006 hearing.

In accordance with §13112 of the California Code of Regulations, on September 22, 2006, staff notified the City of Malibu of the appeal and requested that all relevant documents and materials pertaining to the project be forwarded to the Commission. These file materials have not yet been received by staff and there was not sufficient time to analyze the subject project and prepare a staff report or recommendation for Commission action at the October 12, 2006 hearing. Therefore, pursuant to §13112, the Commission should open and continue the substantial issue hearing on Appeal A-4-MAL-06-125 until all relevant materials are received. The substantial issue hearing will be scheduled for Commission action at a later hearing.